

April 2, 2003 BZA



REQUEST ANALYSIS
AND
RECOMMENDATION

03AN0229

Bobby L. Sprouse, Jr. and Katherine Sprouse

Dale Magisterial District
5632 and 5700 Omo Road

REQUEST: A Special Exception to operate an auto service and repair business from the home.

RECOMMENDATION

Recommend denial of this request for the following reasons:

- A. Special Exception may impair the character of the area.
- B. This request is incompatible with present residential development in the area.
- C. This request is incompatible with the Plan for Chesterfield.

GENERAL INFORMATION

Location:

Property is known as 5632 and 5700 Omo Road. Tax ID 773-681-2145 and 3148 (Sheet 17).

Existing Zoning:

R-7

Size:

1.4 acres

Existing Land Use:

Residential and vacant

Adjacent Zoning and Land Use:

North - R-7; Residential and vacant

South - R-7; Residential and vacant

East - R-7; Vacant

West - R-7; Vacant

Utilities:

Private well and septic system

Transportation:

The Virginia Department of Transportation may require construction of a commercial access to serve this use.

General Plan:

(Central Area Land Use and Transportation Plan)

Mixed corridor use

DISCUSSION

The applicants request a Special Exception to operate an auto service and repair business from the home. The applicants are proposing to construct a thirty-two (32) by thirty-two (32) foot garage on one (1) of the subject properties for the proposed use.

The applicants provide the following information in support of this request:

I am requesting a Special Exception to permit a portion of my residence located at 5700 Omo Road, et al, for the proposed use of a business, for as long as occupied as resident. The reason for this request is in 1999 I had an arm injury at my place of employment, after several surgeries to get back full strength in that arm, it was determined that full use of the arm would never be the same. I have repeatedly pursued employment with several different places, but to no avail because of the injury. I believe that having a business at my residence will benefit me and my family, therefore I will not need to apply for disability as a means of income. My proposed plan is to have a business in the automotive field, specifically as a mechanic. The hours of operation would be as follows: Monday through Friday, 8:00 a.m. to 5:00 p.m., and will be run out of the home garage until prospective building has been built to accommodate the business. Please also note that at times there may be a couple of vehicles at a time stored/parked in the driveway of the residence awaiting pickup from various customers.

Staff visited the site, which is located along the north line of Omo Road. Staff notes the area is of a general residential nature and that there are several vacant parcels in the general area. King's Forest is located to the southwest of the subject property.

The Central Area Land Use and Transportation Plan suggests the property is appropriate for mixed corridor use. Staff believes this type of use is too intense to be compatible with the Plan and the residential character of the adjacent properties. A use of this commercial intensity should be located in a commercial district designed to accommodate it. Staff does not believe that the imposition of development conditions will mitigate the negative impacts this use will have on the area.

Staff believes that the proposed use, because of noise, traffic and associated activity, will have an adverse effect on adjacent properties and the area in general. Staff also believes that this request may change the character of the existing neighborhood and will encourage increased traffic on Omo Road. Therefore, staff cannot support this request.

However, if the Board feels that this request has merit, staff recommends that it be subject to the following conditions:

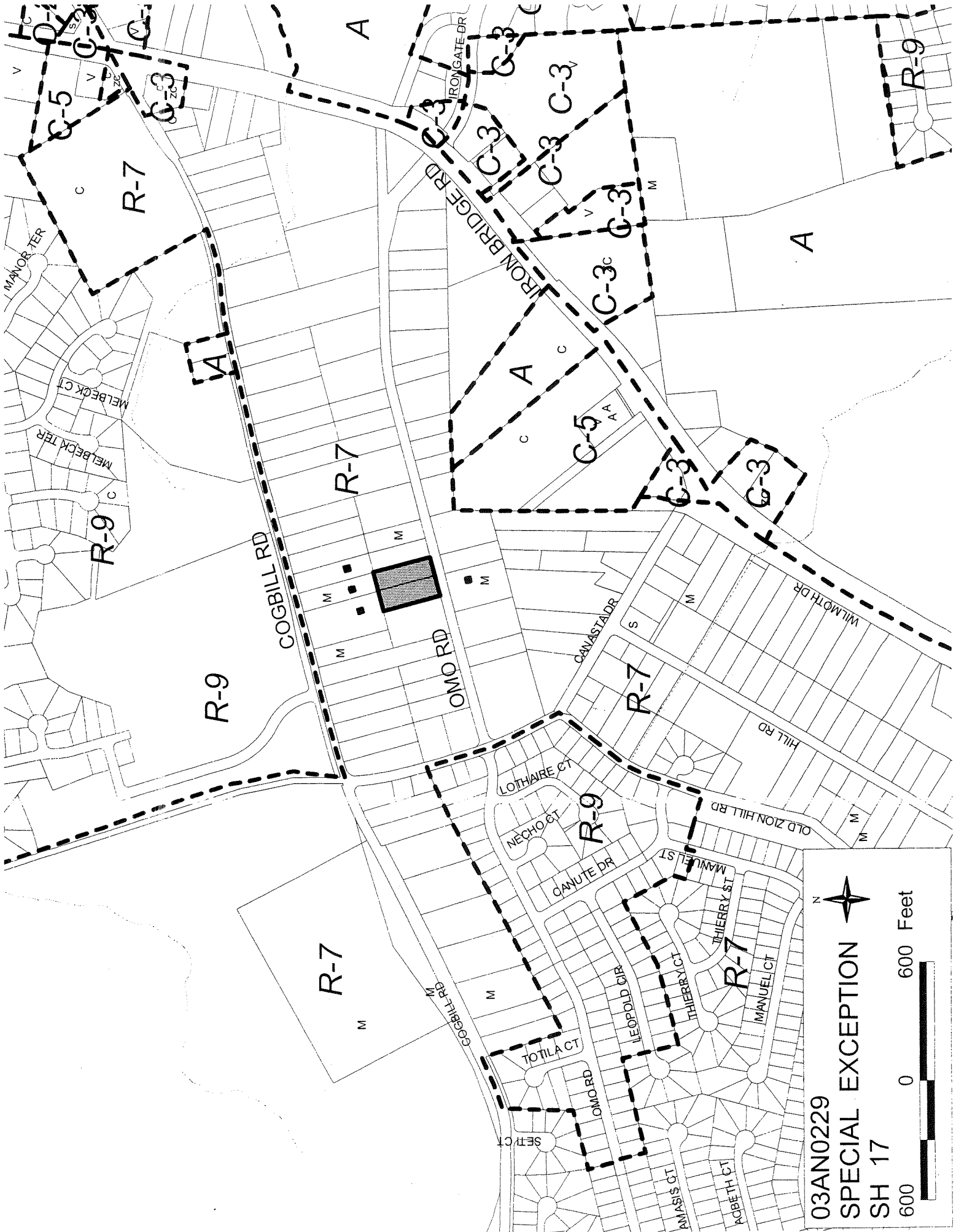
CONDITIONS

1. Special Exception shall be granted to and for Bobby L. Sprouse, Jr., and Katherine Sprouse, exclusively, and shall not be transferable nor run with the land.
2. Special Exception shall be granted for a period not to exceed three (3) years from date of approval and may be renewed upon satisfactory reapplication and demonstration that the auto service and repair operation has not proved a detriment to the adjacent property or the area in general.
3. Special Exception shall be limited to the operation of an auto service and repair shop, exclusively, and no employees, other than the applicants, may be engaged in this operation.
4. No heavy equipment shall be permitted on this property. This permit does not include the right to sell automobiles and/or repair parts on the site.
5. Hours of operation shall be restricted to between 8:00 a.m. and 5:00 p.m., Monday through Saturday. No Sunday operation shall be permitted.
6. No deliveries shall be permitted to or from this use by a tractor trailer truck.
7. No sign relative to this use shall be permitted.
8. No group assembly connected with this operation shall be permitted.

9. No junk automobiles, automobile parts, or other miscellaneous debris associated with this operation shall be stored outside the existing or proposed garage on the parcel.
10. All work on automobiles shall be conducted entirely within the existing or proposed garage. No additions or alterations related to this operation shall be permitted to the exterior of the existing garage. No new construction related to this operation shall be permitted except for the proposed garage.
11. Off-street parking shall be provided for at least two (2) customer vehicles and all private vehicles.
12. There shall be no vehicles stored on this property that have been in accidents and/or waiting insurance estimates.
13. All driveway and parking areas shall be graveled.

(Note: Section 21.1-219 (d) (3) of the County Code requires in all districts, for parking area of four (4) spaces or less, the area shall have a minimum surface of six (6) inches of Number 21 or Number 21A stone. Therefore, parking area of five (5) or more spaces shall be paved with bituminous concrete or other similar material).

14. A landscaping plan shall be submitted to the Planning Department within thirty (30) days of approval of this request. Upon approval of this plan, landscaping shall be installed and maintained to adequately screen the activity associated with this use from view of an adjacent property and public right of way.



03AN0229
SPECIAL EXCEPTION
SH 17
600 0 600 Feet



03AN0229-1